IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE THIRTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI BILAL NAZKI, THE ACTING CHIEF JUSTICE

and
THE HON'BLE SRI JUSTICE R.SUBHASH REDDY

WRIT APPEAL NO : 1669 of 2005

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 31/08/2005 in WP NO : 1669 OF 2005 on the file of the High Court.)

Between:

K.Ram Reddy, s/o K.Bal Reddy,
r/o Bollaram, Burtonguda, Secunderabad.

..... APPELLANT

AND

1 Station Commandant,

Secunderabad & Executive Officer,

Secunderabad Cantonment, Secunderabad.
2 Union of India, Ministry of Defence,

represented by its Defence Estate Officer,

Secunderabad Cantonment, Secunderabad.
3 The Revenue Divisional Officer,

Chevella Division, Rangareddy District.
4 The Mandal Revenue Officer, Malkajgiri Mandal,

Malkajgiri Mandal, Rangareddy District.

.....RESPONDENTS

JUDGMENT: **(Per Hon'ble Sri Bilal Nazki, The Acting Chief Justice)**

A show cause notice has been issued to the writ petitioner-appellant in terms of Public Premises (Eviction of Unauthorized Occupants) Act, 1971. He challenged the said notice in the writ petition, which has been dismissed. Hence, this appeal.

We feel that the impugned notice is only a show cause notice, and all defences, which are available to the appellant, can be taken before the Estate Officer. Even if the appellant is not able to satisfy the Estate Officer, an appeal is available against the order of eviction passed by the Estate Officer.

In these circumstances, we do not think it is necessary for us to intervene in the matter at this stage. The learned counsel for the appellant submits that the time to give a reply to show cause notice ends today. Therefore, in the circumstances of the case, we grant two weeks time to the appellant to file a reply to the show cause notice. For a period of two weeks from today, appellant may not be evicted.

Writ Appeal is, accordingly, disposed of. No costs.

(Bilal Nazki, A.C.J)

13th September, 2005

(R.Subhash Reddy, J)

LUR